



# **Bounty Legislation Amendment Act 1991**

**No. 117 of 1991**

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**An Act to amend certain Acts providing for the payment  
of bounty, and for related purposes**

*[Assented to 27 June 1991]*

The Parliament of Australia enacts:

**Short title**

1. This Act may be cited as the *Bounty Legislation Amendment Act 1991*.

**Commencement**

2. This Act commences 1 July 1991.

**Amendments of various Acts**

3. The Acts specified in the Schedule are amended as set out in that Schedule.

**SCHEDULE**

Section 3

**AMENDMENTS OF VARIOUS ACTS**

***Bounty and Capitalisation Grants (Textile Yarns) Act 1981***

**Subsection 2 (1) (definition of “bounty period”):**

Omit all the words after “ending on 30 June 1995”.

**Paragraph 2 (3) (d):**

Omit “, sizing”.

**After paragraph 2 (3) (k):**

Insert:

“(ka) beaming, warping and sizing processes and any repeat winding necessitated by these processes;”.

**Paragraph 3 (2) (a):**

Omit the paragraph, substitute:

“(a) factory overhead charges apportioned on the basis of a full accounting period of the producer after deducting from those charges:

(i) the amount realised on the disposal of waste; and

(ii) profits realised on the disposal of buildings, machinery, plant or equipment;

as so apportioned; and”.

**After subsection 3 (2):**

Insert:

“(2A) In this section:

‘factory overhead charges’ includes the following:

(a) factory administration costs;

(b) losses incurred on the disposal of buildings, machinery, plant or equipment;

(c) the cost of reuseable packaging;

(d) the cost of machine maintenance and machine replacement parts;

(e) the cost of energy and water;

(f) the cost of solvents, detergents, machinery or spinning lubricants and similar materials used to facilitate the production of the yarn.”.

**Paragraph 3 (3) (q):**

Omit the paragraph.

**SCHEDULE—continued**

**Section 3AA:**

Omit the section.

**Subparagraphs 6 (1) (b) (ii), (iii) and (iv):**

Omit the subparagraphs, substitute:

“; and (ii) on and after 1 March 1989 and before 1 July 1992—42.5%.”.

**Subparagraphs 6 (2) (e) (iv), (v) and (vi):**

Omit the subparagraphs, substitute:

“; and (iv) on or after 1 March 1991 and before 1 July 1992—34%.”.

**Subparagraphs 6 (3) (b) (v) and (vi):**

Omit the subparagraphs, substitute:

“; and (v) on or after 1 March 1992 and before 1 July 1992—33%.”.

**Subparagraphs 6 (4) (d) (v) and (vi):**

Omit the subparagraphs, substitute:

“; and (v) on or after 1 March 1992 and before 1 July 1992—31%.”.

**Subparagraph 6 (5) (f) (v):**

Omit the subparagraph, substitute:

“(v) on or after 1 March 1992 and before 1 July 1992—30%.”.

**Subsection 6 (6):**

Omit the subsection, substitute:

“(6) Where the condition specified in paragraph 5 (5) (c) in relation to the production of bountiable yarn is satisfied on or after 1 July 1992 and before 1 July 1995, the bounty payable to the producer of that yarn is an amount equal to:

- (a) if the condition is satisfied in relation to that yarn on or after 1 July 1992 and before 1 July 1993—30%; and
- (b) if the condition is satisfied in relation to that yarn on or after 1 July 1993 and before 1 July 1994—22%; and
- (c) if the condition is satisfied in relation to that yarn on or after 1 July 1994 and before 1 July 1995—15%;

of the additional value added to the yarn by that producer.”.

**Subsection 10 (1):**

Omit “Subject to subsection (2), a person”, substitute “A person”.

**SCHEDULE—continued**

**Subsection 10 (2):**

Omit the subsection.

***Bounty (Bed Sheeting) Act 1977***

**Subsection 4 (3):**

Omit “, 1 March 1990, 1 March 1991 and 1 March 1992”, substitute “and 1 March 1990, the period of 4 months commencing on 1 March 1991, and the periods of 12 months commencing on 1 July 1991, 1 July 1992, 1 July 1993 and 1 July 1994”.

**Paragraph 7 (b):**

Omit the paragraph, substitute:

- “(b) where that condition is satisfied in relation to the bed sheeting on or after 20 August 1986 and before 1 July 1993—16 cents per square metre; or
- (c) where that condition is satisfied in relation to the bed sheeting on or after 1 July 1993 and before 1 July 1994—12 cents per square metre; or
- (d) where that condition is satisfied in relation to the bed sheeting on or after 1 July 1994 and before 1 July 1995—8 cents per square metre.”.

**Subsection 10A (1):**

Omit “Subject to subsection (2), a person”, substitute “A person”.

**Subsection 10A (2):**

Omit the subsection.

***Bounty (Computers) Act 1984***

**Subsection 3 (1) (after paragraph (ea) of the definition of “bountiable equipment”):**

Insert:

- “(eb) a printed circuit board that, if it were imported into Australia, would be goods to which heading 8534 in Schedule 3 to the Tariff Act would apply;”.

**Paragraph 10 (d):**

Omit “15%”, insert “14%”.

**Paragraph 10 (e):**

Omit “13%”, insert “12%”.

**SCHEDULE—continued**

**Paragraph 10 (f):**

Omit “11%”, insert “10%”.

**Paragraph 10 (g):**

Omit “9%”, insert “8%”.

**Subsection 13 (1A):**

Omit the subsection.

***Bounty (Metal Working Machines and Robots) Act 1985***

**Long title**

Omit “metal working machines”, substitute “machine tools”.

**Short title**

Omit “*Metal Working Machines*”, substitute “*Machine Tools*”.

**Subsection 4 (1) (paragraphs (b) and (c) of the definition of “bountiable goods AB”):**

Omit the paragraphs, substitute:

“and (b) if they were imported into Australia, would be goods to which Item 48 in Part III of Schedule 4 to the Tariff Act would apply;”.

**Subsection 4 (1) (definition of “computer controlled machine”):**

Omit the definition, substitute:

“‘**computer controlled machine**’ means a completely assembled power fed machine that is controlled by an integrated computer controller, is designed to operate independently of human control when the computer controller that controls it is programmed and:

- (a) is designed solely or principally for the working of metal and, if it were imported into Australia, would be goods to which heading 8456, 8457, 8458, 8459, 8460, 8461, 8462, 8463, 8468, 8479 or 8515 in Schedule 3 to the Tariff Act would apply; or
- (b) is designed solely or principally for the working of advanced materials and, if it were imported into Australia:
  - (i) would be goods to which heading 8464 or 8465 in Schedule 3 to the Tariff Act would apply; and
  - (ii) would be goods to which Schedule 4 of the Tariff Act would apply;”.

**Subsection 4 (1) (paragraph (b) of the definition of “flexible manufacturing system”):**

Insert “or advanced materials” after “metal”.

**SCHEDULE—continued**

**Subsection 4 (1) (definition of “modification”):**

Omit the definition, substitute:

“ **‘modification’**, in relation to bountiable equipment B, means:

- (a) a conversion of the equipment that, in the opinion of the Minister, will substantially improve the designed capability of the equipment; or
- (b) the conversion of the equipment from equipment that is not designed to form part of a flexible manufacturing cell or system into equipment intended to form part of such a cell or system;

but does not include:

- (c) the conversion of the equipment in the course of the normal manufacture of the equipment; or
- (d) retrofit manufacture of, or involving the equipment;”.

**Subsection 4 (1) (definition of “numerically controlled machine”):**

Omit the definition, substitute:

“ **‘numerically controlled machine’** means a completely assembled power fed machine that is controlled by an integrated numerical controller, is designed to operate independently of human control when the numerical controller that controls it is programmed and:

- (a) is designed solely or principally for the working of metal and, if it were imported into Australia, would be goods to which heading 8456, 8457, 8458, 8459, 8460, 8461, 8462 or 8463 in Schedule 3 to the Tariff Act would apply; or
- (b) is designed solely or principally for the working of advanced materials and, if it were imported into Australia:
  - (i) it would be goods to which heading 8464 or 8465 in Schedule 3 to the Tariff Act would apply; and
  - (ii) it would be goods to which Schedule 4 of the Tariff Act would apply;”.

**Subsection 4 (1) (paragraph (c) of the definition of “system machine”):**

Add at the end “or advanced materials”.

**Subsection 4 (1) (definition of “terminating day”):**

Omit the definition, substitute:

“ **‘terminating day’** means 30 June 1997;”.

**Subsection 4 (1):**

Insert:

“ **‘advanced material’** means engineering ceramics, engineering composites or engineering polymers;”.

**SCHEDULE—continued**

**After subsection 7 (2):**

Insert:

“(2A) The Minister must not make a declaration under subsection (1) that would result in an increase in the amount specified in subsection 16 (8A) unless the Minister is satisfied that the increase is necessary to take account of inflation as measured using the method in section 160Q of the *Income Tax Assessment Act 1936*.”.

**Subsections 8 (1) and (3):**

Omit the subsections.

**Subsections 8 (5), (6) and (7):**

Omit “sub-section (1), (2), (3) or (4)”, substitute “subsection (2) or (4)”.

**Subsection 16 (5):**

Omit the subsection, substitute:

“(5) A manufacturer of bountiable equipment A is not entitled to receive a payment of bounty in respect of the manufacture of bountiable equipment A (other than bountiable goods AB) unless, during the bounty period, the equipment:

- (a) was sold, or otherwise disposed of, by the manufacturer for use in the production of other goods; or
- (b) was sold, or otherwise disposed of, to the Commonwealth.”.

**Subparagraph 16 (8) (e) (i):**

Omit “, or used by the modifier, in the production, in Australia,”, substitute “in the production”.

**Subparagraph 16 (8) (f) (i):**

Omit “, or used by the modifier, in Australia,”.

**Paragraph 17 (1) (a):**

Omit the paragraph.

**Paragraph 17 (1) (b):**

After “1 July 1986” insert “and before 1 July 1991”.

**After paragraph 17 (1) (b):**

Add at the end:

“; or (c) where the condition specified in subsection 16 (5) is satisfied during a financial year beginning on a day specified in column 1 of the table set out in subsection (4A)—an amount equal to the percentage appearing in column 2 of that table opposite the financial year of the

**SCHEDULE—continued**

value added to the equipment by the manufacturer in the course of the normal manufacture of the equipment.”.

**After subsection 17 (1):**

Insert:

“(1A) Bounty is not payable to a manufacturer of bountiable equipment A in respect of the normal manufacture of bountiable equipment AA under paragraph (1) (b) where bounty is payable to the manufacturer of bountiable equipment A in respect of bountiable equipment AA under paragraph (1) (c).”.

**Paragraph 17 (2) (f):**

Omit the paragraph.

**Paragraph 17 (2) (g):**

After “1 July 1986” insert “and before 1 July 1991”.

**After paragraph 17 (2) (g):**

Add at the end:

“; or (h) during a financial year beginning on a day specified in column 1 of the table set out in subsection (4A)—an amount equal to the percentage appearing in column 3 of that table opposite the financial year of the value added to the equipment by the manufacturer in the course of the retrofit manufacture of the equipment.”.

**Paragraph 17 (3) (a):**

Omit the paragraph.

**Paragraph 17 (3) (b):**

After “1 July 1986” insert “and before 1 July 1991”.

**After paragraph 17 (3) (b):**

Add at the end:

“; or (c) where a condition specified:

- (i) in the case of equipment that is an independent machine—in subsection 16 (5); or
- (ii) in the case of bountiable goods AB—in subsection 16 (6);

is satisfied in relation to the equipment on a day during a financial year beginning on a day specified in column 1 of the table set out in subsection (4A)—an amount equal to the percentage appearing in column 3 of that table opposite the financial year of the value added to the equipment by



**SCHEDULE—continued**

the manufacturer in the course of the manufacture of the equipment.”.

**Paragraph 17 (4) (a):**

Omit the paragraph.

**Paragraph 17 (4) (b):**

After “1 July 1986” insert “and before 1 July 1991”.

**After paragraph 17 (4) (b):**

Add:

“; or (c) where such a condition is satisfied in relation to the equipment on a day during a financial year beginning on a day specified in column 1 of the table set out in subsection (4A)—an amount equal to the percentage appearing in column 3 of that table opposite the financial year of the value added to the equipment by the modifier in the course of the modification of the equipment.”.

**After subsection 17 (4):**

Insert:

“(4A) In relation to each financial year which begins with a day specified in column 1 of the following Table, the percentages appearing opposite a financial year in columns 2 and 3 are to be used in accordance with this section:

Column 1	Column 2	Column 3
1 July 1991	24%	20%
1 July 1992	20%	17%
1 July 1993	16%	14%
1 July 1994	12%	11%
1 July 1995	8%	8%
1 July 1996	5%	5%

**Subsection 17 (5) (definition of “prescribed percentage 1”):**

Omit the definition.

**Subsection 17 (5) (definition of “prescribed percentage 3”):**

Omit the definition.

**Subparagraphs 21 (2) (d) (i) and (ia):**

Omit the subparagraphs, substitute:

“(i) in the case of bountiable equipment AA—within 12 months after the day on which the condition specified in subsection 16 (5) was complied with in respect of that equipment;”.

**SCHEDULE—continued**

***Bounty (Printed Fabrics) Act 1981***

**Subsection 2 (1) (definition of “bounty period”):**

Omit all the words after “ending on 30 June 1995”.

**Subparagraphs 6 (b) (v), (vi), (vii) and (viii):**

Omit the subparagraphs, substitute:

“(v) on or after 1 March 1992 and before 1 July 1992—41%;

(vi) on or after 1 July 1992 and before 1 July 1993—30%;

(vii) on or after 1 July 1993 and before 1 July 1994—22%; and

(viii) on or after 1 July 1994 and before 1 July 1995—15%”.

**Subsection 10 (1):**

Omit “Subject to subsection (2), a person”, substitute “A person”.

**Subsection 10 (2):**

Omit the subsection.

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*[Minister's second reading speech made in—  
House of Representatives on 14 March 1991  
Senate on 18 April 1991]*